

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

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**CRIMINAL DOCKET NO. 09-154**

**v.**

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**SECTION: "R"**

**STEVEN HEBERT**

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**FACTUAL BASIS**

The above-named defendant **STEVEN HEBERT**, has agreed to plead guilty as charged to Counts Three, Four, and Five of the Superseding Indictment now pending against him. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegations against the defendant, **STEVEN HEBERT** ("**HEBERT**"):

Unless stated otherwise, all events set forth herein occurred in the Eastern District of Louisiana.

On February 13, 2009, agents with the Terrebonne Narcotics Task Force ("**TNTF**"), assisted by agents of the Drug Enforcement Administration ("**DEA**"), executed a search warrant for documents at **HEBERT's** trailer-residence in Schriever, Louisiana. Located within the

residence were **HEBERT**, his girlfriend, and two small children, ages six and one Pursuant to an arrest warrant, agents arrested **HEBERT**.

During the initial entry and search, agents discovered a small amount of marijuana. At that time, agents suspended their search. TNTF Agents James Scales and Sidney Simmons left the trailer and drove to the residence of the Honorable John Walker, Louisiana District Judge for the 32nd Judicial District. Agent Scales presented an affidavit in search of a narcotics search warrant for **HEBERT's** residence. Judge Walker authorized the search warrant.

At the trailer, agents Mirandized **HEBERT** and interviewed him. **HEBERT** informed the agents that he had approximately 20 ounces of cocaine hydrochloride in a backpack located in the master bedroom, about one ounce of cocaine base ("crack") in the kitchen area, and a large sum of currency in a pair of his shoes in the master bedroom.

Agents began executing their search of the trailer-residence. In the master bedroom they recovered a back pack that contained approximately 19 ounces of cocaine hydrochloride within that was contained in 19 individually wrapped packages. This substance was subsequently analyzed by the South Cental Laboratory in Dallas, Texas, and found to be cocaine hydrochloride having a net weight of 528.2 grams.

Agents also located the pair of **HEBERT's** shoes in the master bedroom. The shoes were found to contain approximately \$22,890.00 in cash.

Agents also located several rounds of ammunition from the mater bedroom and laundry area, including a 7.62 mm round. **HEBERT** informed the agents that he had purchased an AK-47 from an individual about two years earlier but had since sold the weapon. Agents asked **HEBERT** if he had any firearms in the residence. **HEBERT** and his girlfriend each stated that

there was a 9 mm handgun under the bed in the master bedroom. **HEBERT** further stated that the gun belonged to him and that it was located on his side of the bed. Agents subsequently located a Hi Point 9 mm handgun bearing serial number P1321725 under the bed in the master bedroom.

Agents also located a Smith & Wesson .38 caliber special revolver, bearing serial number S 969522 in a basket on top of the dresser in the master bedroom. **HEBERT** stated that an unknown white male had given the gun to him more than a year earlier and **HEBERT** had it ever since.

**HEBERT** also spoke to agents regarding his drug activities. **HEBERT** stated that his source was a Colombian male from Houston, Texas, that he had met about one year prior. **HEBERT** stated that he initially purchased about nine ounces of cocaine hydrochloride from the source but had been purchasing up to two kilograms of cocaine hydrochloride every two weeks from the source for the last several months at a price of \$18,000.00 to \$19,000.00 per kilogram. As to his selling activities, **HEBERT** stated that he had sold ounces of crack at one time, but was now only selling “rocks” of crack. **HEBERT** also stated that the \$22,890.00 obtained was money he had saved from selling cocaine, and that he did not owe anyone any money for the cocaine.

**HEBERT** then left with some of the agents to drive to a storage unit where agents believed a vehicle was being housed. **HEBERT** had stated that the vehicle was not present. Inside the storage unit, agents located tire rims.

While **HEBERT** was in route to the storage units, other agents continued their search of the residence. In addition to the 528.2 cocaine hydrochloride that was found, a search also

yielded additional cocaine hydrochloride and crack. These substances were sent to the South Central Laboratory in Dallas, Texas. The cocaine hydrochloride tested positive and had a net weight of 9.8 grams. The crack tested positive for cocaine base and had a total net weight of 26.7 grams.

During the search, TNTF Agent Russell Madere located a large amount of currency located within the walls of the trailer-residence. The currency totaled \$155,000.00. TNTF Major Darryl Stewart advised Special Agent Larry Johnson of this over the telephone. Agent Johnson asked **HEBERT** if he had any other money at the house other than what was originally found in the shoes. **HEBERT** stated, "No." Agent Johnson then asked **HEBERT** about the money that had just been found in the wall. **HEBERT** then put down his head and began to shake it back and forth. **HEBERT** stated that the currency was strictly from the sale of cocaine.

The firearms located during the search were tested and discovered to be actual firearms. They were manufactured outside of the State of Louisiana and therefore affected interstate commerce by their importation into the State of Louisiana.

**HEBERT** had previously been convicted of the following felony offenses all out of the 32nd Judicial District Court for the Parish of Terrebonne, State of Louisiana: possession of cocaine, in violation of La. R.S. 40:967(C)(2), on or about January 5, 1995, in case number 255,501; distribution of cocaine, in violation of La. R.S. 40:967(A) on or about March 10, 1998, in case number 276,881; possession with intent to distribute cocaine, in violation of La. R.S. 40:967(A) and possession of a firearm by a previously convicted felon, in violation of La. R.S. 14:95.1 on or about April 22, 1998, in case number 301,321; and attempted possession of

cocaine, in violation of La. R.S. 40:(979) 967(C) on or about April 29, 2004, in case number 422,779. As such, he was not legally able to possess the firearms in question.

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KEVIN G. BOITMANN  
Assistant United States Attorney

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STEVEN HEBERT  
Defendant

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GEORGE CHANEY, JR.  
Attorney for Defendant